

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

GWENDLYN J. RUMMELL,

Plaintiff,

vs.

KILOLO KIJAKAZI, Acting
Commissioner of Social Security
Administration,

Defendant.

CV-22-126-BLG-KLD

ORDER

Defendant Kilolo Kijakazi, Acting Commissioner of Social Security Administration, has filed a Stipulated Motion for Remand. (Doc. 16). Accordingly, and good cause appearing,

IT IS ORDERED that the stipulated motion is GRANTED. The Commissioner's final decision is REVERSED and REMANDED for further administrative proceedings before an Administrative Law Judge (ALJ). On remand, the ALJ shall: offer Plaintiff the opportunity for a new administrative hearing; further evaluate Plaintiff's symptom allegations; reevaluate the evidence, including the medical opinions and prior administrative findings; and issue a new decision.

Remand shall be made under sentence four of 42 U.S.C. § 405(g). *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Upon proper presentation, the Court will consider Plaintiff's application for reasonable attorney fees and expenses pursuant to 28 U.S.C. § 2412(d) and costs as enumerated in 28 U.S.C. § 1920, under 28 U.S.C. § 2412(a). Judgment shall be entered for Plaintiff.

DATED this 8th day of August, 2023.



Kathleen L. DeSoto
United States Magistrate Judge